FILED U.S. DIST. COURT BRUNSWICK DIV.

2005 NOV 17 A 11: 07

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA CLERK BRUNSWICK AND WAYCROSS DIVISIONS

CLERK L. LaVictoria

THOMAS EDWARD HALL, FELTON CULLEN WILLIAMS, ROBERT STANLEY GRIFFIN, RICHARD LAMAR CARTER, BOBBY R. ALLEN, LYMAN M. GUY, JR., DAVID GREGORY STEVERSON, GEORGE HOWELL, JAMES GRIFFIN, SR., IDAS RAY SMITH, HAROLD BAXLEY, VERNON CHARLES SMITH, THOMAS K. HARRIS, JACK TARPLEY, GLORIA BUTLER, DANNY KIRKLAND, ROBERT ROLLINS,) CIVIL ACTION NO.: CV290-605) CV590-258) CV590-262) CV590-267) CV590-269) CV590-270) CV590-272) CV590-273) CV590-274) CV590-274) CV590-277) CV590-277) CV590-280) CV590-281) CV591-005) CV591-019) CV597-076
Plaintiffs,)
V.) }
CSX TRANSPORTATION, INC.,	
Defendant.))

ORDER

Defendant has filed a Motion to Exclude Testimony of Richard Lemen and in the Alternative Motion to Compel Deposition. Plaintiffs have filed a response. After review, Defendant's Motion to Exclude Testimony of Richard Lemen is **DENIED**. Defendant's

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Alternative Motion to Compel Deposition is **GRANTED**. Counsel for Plaintiffs is directed to make Richard Lemon, Ph.D. available for deposition prior to December 1, 2005.

SO ORDERED, this 17 day of November, 2005.

ÁMES E. GRAHAM

UNITED STATES MAGISTRATE JUDGE